

PANEL - REUBEN

1 there is a modification to the order, when can that
2 modification be made after confirmation?

3 A (Miller) After confirmation and they have a
4 service order number.

5 Q Okay, and the interval, just so I'm clear
6 again, if the interval we speak about was before
7 noon, it would be the same day and after noon it will
8 would be before noon the following day?

9 A (Miller) That's correct.

10 Q Is that something that NYNEX considers to
11 be an adequate interval and, if not, is that being
12 worked on to be shortened?

13 A (Miller) One of the effects of putting in
14 place flow through for some order types will be such
15 that notification of the service order number would
16 go back to the reseller through the flow through
17 process, which could take, will take a shorter time,
18 rather a matter of minutes rather than hours and at
19 that time they would be able to submit a change to
20 the original order.

21 A (Coffee) I'd just like to add a point to
22 clarify when you're talking about completed within
23 five days, and where the clock starts on. The day
24 the service order is received is counted as day zero

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1 and day one of that five day, completion within five
2 days starts the following day, so that's how it is
3 counted both for reseller, you know, and for NYNEX
4 resale, that's how it is counted and that's how it is
5 reported.

6 JUDGE STEIN: I'd like to clarify one thing
7 for the record and perhaps this has already been
8 answered but it's not--if it was, I missed it.

9 If I may go back, I think this was in the
10 context of resale to the discussion of the
11 response time on a message, from the time a
12 message enters the gateway, I guess the DCAS
13 gateway until the answer was available. One of
14 the witnesses from the CLECs, in fact several
15 witnesses, discussed time periods that ranged
16 from a minute to almost two minutes, and I'm not
17 sure if we've got the comparable timeframe in
18 terms of the in-house process for NYNEX and I'd
19 be curious to know what that comparable
20 timeframe is?

21 A (Miller) One of the counsel, I believe,
22 asked a question that addressed that specific issue,
23 Your Honor, in terms of what experience does a NYNEX
24 retail rep have when they are, in fact, conducting a

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1 preorder transaction, for example, and my response
2 was that the timeframe is between 2 and 10 seconds.

3 Q And that was a comparable transaction
4 roughly, preorder?

5 A (Miller) It is a comparable transaction for
6 a CSR, yes. There are multiple transaction types and
7 multiple comparisons. Very difficult to do apples to
8 apples in that sense.

9 Q What about a trouble report? Would the
10 differences be roughly about the same in terms of
11 reading the screen in-house and reading it as a CLEC?

12 A (Miller) I haven't personally observed
13 that, but I know that, if the reseller elects to
14 choose the mechanized line testing, the automatic
15 line testing feature, that typically will take about
16 20 or 30 seconds which will be the same for a NYNEX
17 repair representative as well as the reseller, so
18 that part of the process would be very similar.

19 Q Let's turn it one more notch. Let's say an
20 end user, which I am, I call NYNEX who is my carrier
21 and I say "there is a buzzing on my line" or "my
22 phone is out; I'm calling from my second line," and
23 they tell me, seems to me very fast, they respond.
24 "We've checked this. We've checked this."

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1 Somebody will come or, you know, you're out
2 of luck or whatever it is going to be, but pretty
3 much real-time.

4 A (Coffee) Yes, as Stuart mentioned, the
5 response time on MLT (mechanized loop test) is 35 to
6 40 seconds for the full test which is generally the
7 test. I can respond to the effect total time on
8 average that a customer will spend in our CSBs on a
9 repair trouble is in the neighborhood of 275 to 300
10 seconds for contact, so there is--

11 Q Of this whole transaction between the
12 customer and you?

13 A (Coffee) And the representative taking the
14 report.

15 Q Would that generally usually be on one, in
16 one call?

17 A (Coffee) In one call, yes.

18 A (Miller) And the process were you a
19 customer of a reseller would be very similar, that
20 you would call the reseller center and as far as
21 taking your details would basically conduct the test
22 as I described, mechanized loop test automatically
23 with the same response time and then decide whether a
24 trouble would have to be entered into the NYNEX

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1 system.

2 JUDGE STEIN: Thank you.

3 JUDGE BRILLING: Could I ask another
4 question about these acronyms? I have MLT
5 referred to as three different ways. Is it
6 mechanized loop test or is the metallic?

7 THE WITNESS: (Dowell) Mechanized loop
8 testing.

9 JUDGE BRILLING: Not metallic line test?

10 THE WITNESS: (Miller) Mechanized loop
11 test.

12 JUDGE BRILLING: Thank you.

13 BY MR. KLEIN:

14 Q Regarding response times to the
15 competitors, is there a difference in the response
16 time if the competitor is connected through dedicated
17 access or through dial-up?

18 A (Miller) From the point of view of the
19 network in transmission, it depends on the speed of
20 the dial-up clearly. We offer a wide area network
21 connection which will provide faster transmission.

22 In fact the transmission times, the
23 transmission component of the response time is
24 minuscule even if the response time were down into

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1 the two-second type area. It is a minuscule
2 component of that time.

3 Q We heard earlier, and we spoke about this a
4 little bit, about the manual intervention required at
5 the NYNEX office once a service order is received.
6 In response to staff information request 1.6 NYNEX
7 responded that all resellers' representatives' orders
8 require manual intervention and that the same holds
9 true for NYNEX representatives.

10 I just want to confirm the accuracy of that
11 and also ask whether the type of manual intervention
12 required is the same and if the increase in the
13 interval, any increase in interval is going to be
14 comparable by virtue of that manual intervention?

15 A (Butler) Let me just clarify the answer
16 here for the record, and might help everybody else
17 with that answer. We did say that all reseller
18 orders require manual intervention. What we mean by
19 that is up until just last weekend all of those
20 orders would fall out to the reseller services center
21 and then a reseller service representative would have
22 to type it into our service order processor.

23 That's really the definition of that. At
24 the same time we do not have in place today a

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1 capability of a customer, an end user customer of
2 NYNEX, to directly input their own order into the
3 system, and, therefore, they call our business
4 office, talk to one of our service representatives
5 and that's what we mean by manual intervention by the
6 service representative on a retail side; so all of
7 those orders are also manually intervened on, if you
8 will, just like they are in the reseller services
9 center from that perspective.

10 Q I appreciate that clarification. I don't
11 think that would have been necessarily understood.
12 Has NYNEX undertaken to measure the delay because of
13 the manual intervention on the orders from resellers?
14 In other words, the time it takes to take the order
15 and retype it into the system, how much time does
16 that take if it's been measured?

17 A (Butler) No. We have not. Again, what
18 we're wanting to measure is, rather, the interval
19 that we provided to that—to the customer and to the
20 reseller in turn and not necessarily our
21 intervention.

22 If you will, in the reseller world, these
23 are costs that we are supposed to be shedding as part
24 of the process. To the degree we keep those costs

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1 which cost more bearing in the process, we would just
2 as soon drive to more flow through which is
3 indicative of what we've done already or what we're
4 doing right now.

5 JUDGE STEIN: Mr. Klein, you're running to
6 the end of your time.

7 MR. KLEIN: Thank you, Judge.

8 Q Regarding that manual intervention is there
9 any type of error rate which has been associated with
10 that manual intervention?

11 A (Butler) No. I'm not aware of any error
12 rate associated with our manual intervention versus
13 the error rate that would be associated with the
14 manual intervention in a retail world. I'm not aware
15 of any comparison at all in fact.

16 Q Regarding that manual intervention,
17 sticking with that for a moment, are you monitoring
18 the volume of reseller service orders to determine
19 what your work force needs are in response to the
20 volume of orders being received and has that work
21 force been augmented and do you expect that to
22 continue to increase in the future?

23 A (Butler) Just bear with me for a second and
24 let me turn to that answer. In the interrogatories

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1 question 1.2 indicated the number of service orders
2 that were submitted on every given day since October
3 8th up through last week. Indeed, we do monitor the
4 number of service orders and the number of lines on
5 those service orders, and we're in a position to
6 augment the force within very reasonable times, for
7 some of the same reasons that Mr. Dowel gave earlier
8 for our outside forces.

9 I think, to reiterate, we're not really
10 close to the capacity of the center but in addition
11 to our own center we have the capability of brining
12 in, already used, an out-sourcer in to gives us
13 additional flexibility and that's also addressed in
14 these answers.

15 Q We spoke earlier also about the attempt to
16 increase the automation of the NYNEX service ordering
17 processing system, and I'd just like to ask there is
18 apparently a space on the GUI order form entitled
19 "remarks", and I'm wondering if there are any
20 services or features which can only be ordered
21 through that remarks section of the form and how that
22 might affect your plans to automate the system?

23 A (Miller) Yes; at present there are. I
24 mean, one could--the analogy, the more data we can

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1 get out of the remarks field into the other field the
2 more we're able to automate a flow through, even with
3 flow through, if there are comments in the remarks
4 field that order is going to in fact be handled
5 manually. Again, it is a cooperative issue here that
6 we need the purity of the order is a very important
7 issue when it puts flowing orders through the system.

8 Q How is that being--

9 A (Miller) Has that or--

10 Q Has it or how will it be?

11 A (Miller) It is modified in terms of the
12 different services types that are being included in
13 flow through and they are necessary data that support
14 those orders being put into the fields. The fields
15 are already in place. The editing process that look
16 at those fields and it is a continual process and is
17 going to be.

18 Q Speaking of edited process I think I've
19 been edited. I'll stop here.

20 JUDGE STEIN: We reserved the last chunk of
21 time to counsel for other parties. Are there
22 some questions you would like to pose.

23 MR. DAVIDOW: AT&T has none.

24 JUDGE STEIN: Any takers?

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1 (No response.)

2 Is there anything that's important to you
3 that you like to pursue?

4 MR. KLEIN: If you give me 30 seconds to
5 consult with staff, I'll see if there is
6 anything we can wrap up with.

7 (Pause.)

8 Judge, I do have three questions that I
9 would like to pose.

10 JUDGE STEIN: We have three questions. We
11 will have three answers and we'll close for the
12 day, and when we go off the record at 6:00,
13 let's take a few minutes to plan how we want to
14 use the balance of our time.

15 THE WITNESS: (Butler) Could I clarify a
16 comment I made earlier if that's possible?

17 JUDGE STEIN: You want to clarify an
18 answer?

19 THE WITNESS: (Butler) Yes, earlier to a
20 question. I believe the question was how fast
21 do you query back and I said same day, and
22 that's slightly incorrect, so let me correct it
23 for the record.

24 It is same day if the order is received

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1 before noon. It could potentially be next day
2 before noon. From Mr. Miller's answer, if the
3 order was received after 12 noon, so indeed it
4 could be in some cases the next day.

5 Also as a point of clarification to another
6 item, it wasn't really misunderstood but let me
7 just bring it up just for clarification: If we
8 query back to a reseller we will stop the clock.
9 If it is an error back to the reseller and then
10 if they fix it that the clock will begin to
11 start again; in other words, they will have to
12 pick another due date.

13 MR. KLEIN: Okay.

14 JUDGE BRILLING: Can I ask another point of
15 clarification before you do that? Mr. Miller,
16 did you agree to provide some numbers to staff
17 on the numbers of notifications? Did you ask
18 him that question?

19 MR. KLEIN: On numbers of notifications to
20 competitors?

21 THE WITNESS: (Miller) I don't recall that.

22 JUDGE BRILLING: You asked him about ten
23 minutes to provide some information.

24 MR. KLEIN: I didn't write it down.

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1 JUDGE BRILLING: Never mind.

2 JUDGE STEIN: I've been concerned about
3 this, also. Let me go off the record.

4 (Discussion off the record.)

5 Back on.

6 Did you want to clarify an answer or are
7 you done?

8 THE WITNESS: (Butler) I'm done.

9 JUDGE STEIN: Mr. Klein, three questions.

10 BY MR. KLEIN:

11 Q Suppose a reseller or carrier service order
12 has been received and confirmed by New York Tel but
13 the company, New York Tel, then discovers that it
14 can't complete that service on the date promised or
15 the time promised? How is that information conveyed
16 back to the reseller or the carrier?

17 A (Butler) I'd like to take that question and
18 just get back to you with the answer. I'm not
19 exactly sure of the answer right now.

20 Q Unless any competitor have a experience
21 with that situation I'm not sure if anyone else could
22 elucidate us on that. Okay.

23 Regarding the time periods in which
24 resellers and carriers can provide, can transmit

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1 service orders to New York Tel, what hours of
2 availability are they? Can they transmit orders 24
3 hours a day or 7 days a week or is there some
4 limitation on that and subsequently on the processing
5 of those orders?

6 A (Miller) Basically, at the present time if
7 they're issuing those orders through the DCAS, it is
8 up 21 by 6:00 a.m. in the morning to 3:00 a.m. the
9 following morning 7 days a week.

10 Q And then turning those orders around and
11 placing them into the NYNEX system, during what hours
12 is that done?

13 A (Miller) I think that's normal business
14 day, 8:00 till 6:00.

15 MR. KLEIN: That's all I have, Your Honor.

16 A (Dowell) Could I answer the question that
17 Gary deferred on what happens if we get missed
18 appointments? The vast majority of missed
19 appointments is caused by dispatch operation and what
20 happens there is they enter a system called "work and
21 force administration" WFA and out of WFA we pull a
22 series of reports that are sent to a CAT and CATC and
23 resale center that identify those missed appointments
24 and that information is relayed back to the CLECs to

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1 either renegotiate an appointment i.e. if access was
2 denied or if it is a help for; what timeframe do we
3 think we can get that order.

4 Q What's the interval for getting back to the
5 reseller on that?

6 A (Dowell) It is supposed to be the same day.

7 A (Kennedy) Our experience is that it is
8 typically the next business day.

9 JUDGE STEIN: All right.

10 MR. KLEIN: Thank you.

11 JUDGE STEIN: With that we'll close for
12 today. We'll chat for a few minutes off the
13 record about the rest of the schedule and we'll
14 reconvene tomorrow morning at 9:00.

15 (Recessed at 5:55 p.m.)

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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Federal Communications Commission
Office of Secretary

In the Matter of)	
)	
Implementation of the Local Competition)	CC Docket No. <u>96-98</u>
Provisions in the Telecommunications Act)	
of 1996)	
)	
Interconnection between Local Exchange)	CC Docket No. 95-185
Carriers and Commercial Mobile Radio)	
Service Providers)	

PETITION FOR WAIVER

U S WEST Communications, Inc. ("USWC") herein respectfully requests a waiver from the Federal Communications Commission ("FCC" or "Commission") requirements established in the First Report and Order¹ that incumbent local exchange carriers ("ILEC"), such as USWC, have electronic interfaces to their Operational Support Systems ("OSS") to support certain identified functions (e.g., pre-ordering and ordering, maintenance and repair, billing information) by January 1, 1997. As demonstrated by the attached Affidavit of Robert H. Van Fossen, Senior Director, Legislative Systems Impact Planning & Development (a position created specifically for the purpose of assuring compliance with the

¹ In the Matter of Implementation of the Local Competition Provisions in the Telecommunications Act of 1996; Interconnection between Local Exchange Carriers and Commercial Mobile Radio Service Providers, CC Docket Nos. 96-98 and 95-185, First Report and Order, FCC 96-325, rel. Aug. 8, 1996 ("First Report and Order").

specifications of the Telecommunications Act of 1996² as it relates to systems development and modifications as implemented through federal regulations, private negotiations and arbitrations, and state regulatory mandates), the task mandated by the Commission has proven impossible to accomplish by USWC in the timeframe mandated by the Commission. Specifically, USWC requests a waiver with respect to electronic OSS access support for design services.³ Furthermore, should such be necessary,⁴ USWC requests a waiver for electronic interfaces to OSS supporting the

² Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) ("1996 Act").

³ Design services require specific engineering design to ensure that the appropriate transmission or signaling conditioning, or other required components, have been defined to meet the technical requirements of the ordered service. Examples of design services include (but are not limited to) CENTREX services, point-to-point private lines, multi-point private lines, foreign exchange circuits, DS0, DS1, and higher rates, T-1, SONET, PBX, PRI ISDN, and WATS services.

⁴ The Commission's First Report and Order is not absolutely clear with respect to ILEC obligations for OSS access. An argument can be made that the basic thrust of the Commission's mandates stems from a "parity" analysis. Compare First Report and Order ¶ 312 (dealing generally with non-discrimination obligations associated with the provision of unbundled network elements) with ¶¶ 516-528 (addressing specific requirements associated with electronic interfaces to OSSs). That is, ILECs must make available to other carriers those electronic interfaces that ILECs use in support of their own services. This analysis suggests that electronic interface access to OSSs supporting unbundled network elements need not be in place by January 1, 1997, since ILECs had no electronic interfaces to OSSs supporting such offerings in the past, unbundled network elements only being defined in the Commission's First Report and Order.

A contrary argument, and one USWC knows is being proffered by certain carriers, is that ubiquitous electronic interface access to all ILEC OSS systems as of January 1, 1997 is the fundamental mandate of the Commission's First Report and Order. Thus, some carriers expect electronic interface access to OSSs in support of unbundled network elements, despite the fact that ILECs probably have not yet completed the creation of such access for themselves.

Because of the lack of clarity around this matter, USWC herein requests a waiver of the electronic interface requirements associated with OSS access in support of

provisioning and billing of unbundled network elements. Support for this Waiver request is outlined below and is found in the attached Affidavit.

Prior to the date of the Commission's issuance of its First Report and Order, USWC was operating under the reasonable assumption (based on our reading of the requirements of the 1996 Act) that electronic access to OSSs would be somewhat circumscribed, being required only in the areas of call routing and control.⁵ Furthermore, unlike some other ILECs, USWC was not subject to any state commission mandates with respect to OSS access.

While the FCC might have had information leading it to believe that the broad-based January 1, 1997 electronic access to the OSS requirement it ultimately imposed was attainable or reasonable (based on its experiences, perhaps, with some ILECs),⁶ it has proven impossible for USWC to fully meet the deadline established

provisioning, maintenance, and billing of unbundled network elements to the extent the Commission deems such a waiver to be necessary. In any event, as a matter of describing USWC's future electronic access OSS deployment plans, repeated reference is made throughout this Waiver filing, as well as in the attached Affidavit, to electronic OSS interfaces that will support the purchase of unbundled network elements.

⁵ Thus, USWC expected to provide support with respect to Line Information Databases ("LIDB"), operator services and directory assistance listings, certain Advanced Intelligent Network ("AIN") capabilities, and basic billing data.

⁶ For example, NYNEX had been working to create OSS access functionalities for more than nine months by the time the FCC issued its First Report and Order, as the result of prior state commission mandates. Yet, even NYNEX has characterized the Commission's mandates in the area of OSS access as "very ambitious." See *Ex Parte* filing of Dee May, NYNEX, to William F. Caton, FCC, Re: CC 96-98 Implementation of the Local Competition Provisions in the Telecommunications Act of 1996 and CC 95-185, filed Sep. 18, 1996. USWC had no similar mandates and was internally preparing to respond to its interpretation of the mandates of the

in all of its particulars. This is particularly the case since some of the same personnel and resources are also involved in working on the operations systems changes needed in support of the implementation schedule for long-term number portability, as well as the resale of USWC's telecommunications products and unbundling of its network elements.

In the attached Affidavit, USWC outlines those requirements necessary to create "electronic interfaces." As that Affidavit demonstrates, the work is extremely complex. In some cases, development of totally new systems would be easier than attempting to create interfaces to existing systems. Furthermore, the fact that USWC is attempting to meet the needs of multiple purchasers with a single "general purpose" solution slows down the task somewhat.⁷ Also, as discussed in the Affidavit, the lack of firm product definition with respect to the "unbundled elements" makes OSS support somewhat impossible, since the OSS fields cannot be populated with necessary, predicate information.

Finally, but certainly not least, is the fact that during the process of design and deployment of the electronic interfaces themselves, entities change their minds as to what their "actual" requirements really are; or USWC as the supplier

1996 Act. That interpretation was nowhere as broad or deep as what the FCC ultimately mandated.

⁷ While USWC is not attempting to create an "individualized" solution to each purchaser's needs, we are attempting to take those needs into account in designing and deploying the access systems and interfaces. See First Report and Order ¶ 509 and n. 1203, referencing Cyndie Eby's July 9, 1996 letter to Robert Tanner ("Systems development is a 'two-way street.' Interconnectors/CLECs must develop compatible systems if they are to take advantage of LEC electronic interfaces. No systems are commercially available from vendors today.").

determines that it cannot meet the desired requirements in the manner originally anticipated. While this is a basic aspect of any design and deployment process, particularly one associated with electronics, the Commission's aggressive OSS access deployment schedule allows no time for this type of "negotiation and true-up."

USWC believes we demonstrate in the attached Affidavit facts and circumstances establishing "good cause" in support of our Waiver request. Overwhelmingly, USWC will be able to provide electronic interface access to support the resale of basic Plain Old Telephone Service ("POTS"), such that third-party competitive local exchange carriers ("CLEC") will have substantially similar access to that enjoyed by USWC service representatives with respect to pre-ordering, ordering, maintenance and repair, and billing information.⁸ It will be impossible,⁹

⁸ With respect to the resale of POTS service, USWC will be able to provide totally electronic access to all functions mandated by the Commission, with the exception of pre-ordering and ordering. While USWC originally believed that the electronics would support electronic access and manipulation of customer data with respect to pre-ordering and ordering, we have recently determined that such will not be possible immediately on January 1, 1997. Rather, USWC will be able to accept an electronic order from a CLEC, but our systems will not be able to read or process that order without manual intervention after its receipt. Thus, for some period of time, manual processes will be in place with respect to pre-ordering and ordering functions. We believe, however, that we are still in compliance with the Commission's "substantially similar" obligations with respect to these functions and do not seek a waiver with respect to this aspect of our compliance obligations.

⁹ The Commission has held that a showing of impossibility of complying with an order constitutes "good cause" sufficient to waive or suspend the requirements of an order. See, e.g., In the Matter of Provision of Access for 800 Service, Order, 7 FCC Rcd. 5019, 5021-22 ¶¶ 13-18 (1992); In the Matter of Telecommunications Relay Services, and the Americans with Disabilities Act of 1990, Order, 8 FCC Rcd. 8385, 8386 ¶¶ 6-7 (1993).

however, for USWC to have OSS electronic access support for more sophisticated service offerings, such as design services, on January 1, 1997. Furthermore, OSS support for unbundled network elements will not be available by that date.

Electronic support for design services and unbundled network elements will be delayed pending further systems development and network element product definition. Electronic support for these services is expected by mid-year 1997 and fourth quarter 1997. With respect to design services, most of the work associated with the provisioning of such services is in the day-to-day negotiation of the specifics of the proposals. Inputting the finally determined parameters of the service offering, while done through electronic interfaces, is but a minuscule aspect of the design services process. With respect to unbundled network elements, the nascent nature of the offerings and the lack of specific product definition render it impossible at this time to define the basic offering for purposes of populating necessary OSS fields.

Specifically, then, USWC requests a waiver with respect to electronic access to OSSs to support design services, and, to the extent a waiver is necessary, to support the provisioning, maintenance and repair, and billing of unbundled network elements. The electronic functionalities to support these services will be available in the July and November 1997 timeframes. Given the current lack of national standards,¹⁰ and the ongoing nature of the state arbitrations, negotiations,

¹⁰ The Commission discusses national standards in its First Report and Order primarily with respect to a "national gateway." Id. ¶ 527. There, the Commission notes that within approximately 12 months from the date of its Order, some progress should be expected with respect to the deployment of such gateway.

and state orders, USWC believes that no third party will be materially or substantially harmed by the grant of the instant request.

By this observation, USWC does not mean to suggest that no party will object to or complain about this Waiver request. The politics of interconnection being what they are, we expect objections.¹¹ However, based on USWC's participation in our various state negotiations and arbitrations (and, USWC has more than a majority of those currently underway throughout the United States), we believe we have "agreements in principle" with the majority of CLECs that if phasing in electronic access is required (which USWC asserts it is, given our impossibility of performance), then completion of the POTS phase of such access is the most critical. Furthermore, most CLECs appear willing to extend the schedule for capabilities to employ interface specifications based on agreed-upon national standards.

For the above reasons, and the "good cause" demonstrated in the attached Affidavit, USWC requests a waiver of the Commission's electronic access OSS

However, "national standards" also educate the current, interim electronic access solutions being deployed by ILECs. For example, much of the electronic access work that supported the access protocols with respect to the WEB-gateway technology USWC intends to deploy in support of its resold POTS service was carried out in national forums, primarily working in the area of electronic access and interfaces for interexchange carriers. That work formed the foundation for the electronic access activities undertaken to comply with the Commission's First Report and Order.

¹¹ Objections would be expected, in any event, because there are sometimes fundamental disagreements as to the "minimum" level of activity required to assure statutory and regulatory compliance. For example, while USWC is working diligently to provide "substantially similar access," some carriers continue to press for different access or access that is substantially different from that which USWC utilizes with respect to our own services.

mandates and requests that we be permitted to comply with those mandates pursuant to the deployment plan specifically outlined in the attached Affidavit.¹² Therein, we believe that we demonstrate the impossibility of complying with the Commission's requirements on the timeline mandated by the Commission, the absence of material and substantial harm to CLECs and the public interest associated with pursuing a more educated, more reasoned approach to electronic access to OSSs.

Respectfully submitted,

U S WEST COMMUNICATIONS, INC.

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Its Attorney

Of Counsel,
Dan L. Poole

December 11, 1996

¹² In its First Report and Order, the Commission observed that certain states had mandated some form of OSS access. Id. ¶ 510. In that discussion, the Commission noted that ILECs were required to file some type of compliance or deployment plan in the event they were unable to meet the specifics of the state mandates. Id. ¶ 519. USWC's outlined deployment plan is offered in a spirit of similar regulatory compliance.

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

AFFIDAVIT OF ROBERT H. VAN FOSSEN

I, Robert H. Van Fossen, first being duly sworn, hereby state that the following information is true and correct to the best of my knowledge, information, and belief.

1. I submit this response in support of the waiver to be filed by U S WEST Communications, Inc. (or "USWC"), on December 11, 1996, seeking relief from the Federal Communications Commission ("FCC" or "Commission") mandate under the First Report and Order requiring that incumbent local exchange carriers ("ILEC"), including USWC, provide electronic interface access to the functionalities of their operations support systems (or "OSS") to competitive local exchange carriers ("CLEC") by January 1, 1997. USWC will be unable to meet this requirement, in total, by the mandated date and therefore seeks the instant waiver. While USWC will be able to provide electronic access to OSS functionality with respect to pre-ordering, ordering, provisioning, maintenance and repair, and billing with respect to that service colloquially known as Plain Old Telephone Service ("POTS"), in substantial part, it will be unable to provide similar electronic functionality with respect to design services and unbundled network elements. Electronic interfaces with respect to those offerings will not be available until later in 1997.¹

Biographical Information

2. By way of background biographical information, I am an employee of U S WEST Communications, Inc., which is a subsidiary of U S WEST, Inc., and have been so employed since 1994. I work in the Information Technologies department and my title is Senior Director, Legislative Systems Impact Planning & Development. My current address is 1475 Lawrence Street, Room 400, Denver, Colorado. 80202.

¹ Existing systems that accommodate electronic interfaces with respect to interexchange access services will continue to be available and are expected to be utilized in support of carrier-to-carrier interconnections. Nothing reflected herein should be interpreted to suggest that those electronic interfaces will be diminished or withdrawn.